

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

Case No. 09-43191

RICHARD JOHNSON, JR., *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER DENYING MOTION FOR RECONSIDERATION**

This case comes before the Court on a letter filed by Debtor on February 25, 2009 (Docket # 20), which this Court construes as a motion for reconsideration of the February 23, 2009 Order dismissing this case (Docket # 18), and

The Court having reviewed and considered the motion for reconsideration, and

The Court finds the motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

In addition, the Court notes the following. First, the Debtor is incorrect in stating in his Motion that the \$299.00 filing fee for his previous case, Case No. 08-63237, was waived. It was not waived, even though the filing fee for this case (No. 09-43191) was waived. Rather, the Court *denied* the Debtor's application to waive the filing fee in the prior case. *See* Order, filed October 20, 2008 in Case No. 08-63237 (Docket # 13). And the Court's docket in Case No. 08-63237 indicates that the filing fee still has not been paid for that case.

Second, regarding Debtor's failure to file a matrix in his current case, although Debtor says in his Motion that he has "the stamped original documents filed on February 17th," the Court's docket indicates no filing of anything in this case on February 17, 2009, and no filing of

a proper matrix, even now. And Debtor did not attach a copy of any file-stamped document to his Motion.

The Debtor may file a new motion to reinstate this case, and the Court will consider such a motion, if and when Debtor has done both of the following: (1) paid the \$299.00 filing fee in Case No. 08-63237; and (2) filed a proper matrix in this case (if Debtor believes he did file a matrix previously but that the Clerk's office has failed to docket it, he must refile the matrix with the Clerk's office.)

NOW, THEREFORE,

IT IS ORDERED that the motion for reconsideration should be, and hereby is, DENIED.

**Signed on February 27, 2009**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**